

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

PENNSYLVANIA EMPLOYEE BENEFIT)	
TRUST FUND, on behalf of itself and all)	
others similarly situated, JOSEPH)	
MACKEN, and COMMISSIONER LINDA)	
A. WATTERS)	
)	
Plaintiffs,)	
)	Civ. No. 05-075-SLR
v.)	(Lead Case)
)	
ZENECA, INC. and ASTRAZENECA)	
PHARMACEUTICALS, LP,)	
)	
Defendants.)	

DEFENDANTS' MOTION TO DISMISS

Defendants AstraZeneca Pharmaceuticals, L.P. and Zeneca Inc. move to dismiss the Consolidated Class Action Complaint (a) pursuant to Fed. R. Civ. P. 12(b)(6) for failure to state a claim upon which relief can be granted, (b) pursuant to Fed. R. Civ. P. 12(b)(1) for lack of jurisdiction over the subject matter, and (c) pursuant to Fed. R. Civ. P. 9(b) for failure to plead with particularity. The grounds are set forth more fully in AstraZeneca's Opening Brief in Support of their Motion to Dismiss, submitted herewith.

MORRIS, NICHOLS, ARSHT & TUNNELL

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